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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Flammer et al.

Serial No.: 10/643,542

Art Unit: 1616

Filed : August 19, 2003

Examiner: M. Lamm

For : ANTI-DANDRUFF AND ANTI-ITCH COMPOSITIONS CONTAINING SENSATE
AND SENSATE ENHANCER-CONTAINING COMPOUNDS

Mail Stop: AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being
deposited with the United States Postal Service as
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Assistant Commissioner for Patents, Washington, D.C.
20231 on

January 31, 2006

(Date of Deposit)

Elizabeth M. Quirk

(Name of Registered Representative)

Elizabeth M. Quirk

(Signature)

January 31, 2006

(Date of Signature)

RESPONSE TO REQUIREMENT FOR RESTRICTION

This response is being filed in reply to the Office Action of
December 15, 2005 a reply to which was due without payment of
additional fee or Request for Extension of Time by January 15, 2006.
Since this amendment is being filed after January 15, 2006 but prior
to February 15, 2006, a Request for Extension of Time until February
15, 2006 is being made herewith (with authorization to use the
additional fee from Deposit Account No. 12-1295).

The Examiner has determined the invention to be distinct between the claims of Group I, claims 1-16 and 20, the claims of Group II, directed to 17-19 and 21-23, and Group III, claims 24-26.

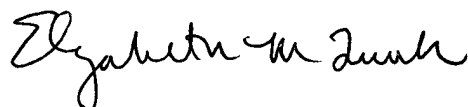
Applicants elect claims 1-16, and 20 drawn to an anti-dandruff composition.

In addition the Examiner has also applied an election of species requirement comprising cooling material of claim 3; and the cooling sensate enhancer of claims 2, 4, 5 and 18.

Applicants hereby elect for the purpose of search, C₁-C₃ alkyl or dialkyl-N-substituted menthane carboxamide as the cooling material; and C₇-C₁₂ alkanolic acid vanillamide as the cooling sensate enhancer. Applicants respectfully submit that claims 1-7, 9, 11-14 and 20 read upon the elected claims and the elected species.

Early and favorable consideration of the elected claims is respectfully requested.

Respectfully submitted,



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